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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/550,045

09/21/2005

Maarten Peter Bodlaender

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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EXAMINER

FAN, HUA

ART UNIT

PAPER NUMBER

4134

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/550,045	<b>Applicant(s)</b> BODLAENDER ET AL.	
	<b>Examiner</b> HUA FAN	<b>Art Unit</b> 4134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/21/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-9, 12, 14 rejected under 35 U.S.C. 102(e) as being anticipated by US patent 6434602 to Hazan et al.

As to claim 1, Hazan et al. discloses an electronic mail system (abstract) comprising at least: an apparatus having a device to be connected to an electronic mail service (figure 1; col. 1, lines 47-62), said apparatus comprising: a receptacle for receiving a removable data storage means (figure 1, 4; col. 3, lines 13-16, 37-54), writing/reading means for reading and/or writing said storage means (figure 1, 3, 4; col. 3, lines 1-24, 37-54), connecting means for a connection to a mail service (figure 1; col. 1, lines 47-62), mail managing means for managing mail (figure 3-4; col. 3, lines 1-24, 37-54), which system further comprises: a removable data storage means (figure 1).

As to claim 2, Hazan et al. discloses a mail system as claimed in claim 1 comprising mail means for storing at least part of the contents of the mail in said removable data storage means (figure 1, 3; col. 3, lines 1-24).

As to claim 5, Hazan et al. discloses a mail system as claimed in claim 1, wherein the mail server is accessible via a network such as the Internet (figure 1; col. 1, lines 47-62).

As to claim 6, Hazan et al. discloses an apparatus suitable for electronic mail (abstract) and comprising: a device to be connected to an electronic mail service (figure 1; col. 1, lines 47-62), a receptacle for receiving a removable data storage means (figure 1, 4; col. 3, lines 37-54), writing/reading means for reading and/or writing said storage means (figure 1, 3; col. 3, lines 1-24), connecting means for a connection to a mail service (figure 1; col. 1, lines 47-62), mail managing means for managing mail (figure 3-4; col. 3, lines 1-24, 37-54).

As to claim 7, Hazan et al. discloses a removable data storage means suitable for an apparatus as claimed in claim 1 in which data relating to mail are stored (figure 1, 3; col. 3, lines 1-24).

As to claim 8, Hazan et al. discloses a removable data storage means suitable for an apparatus as claimed in claim 1 in which data relating to the filing of mail are stored (figure 1, 4; col. 3, lines 37-54).

As to claim 9, Hazan et al. discloses a removable data storage means suitable for an apparatus as claimed in claim 1 in which data relating to mail and to the filing mail are stored (figure 3-4; col. 3, lines 1-24, 37-54).

As to claim 12, Hazan et al. discloses a mail system as claimed in claim 1, wherein mail managing means for managing mail comprise display means for managing the mail (col. 2, lines 14-34).

As to claim 14, Hazan et al. discloses a method of managing mail (abstract), which involves the following steps of: using a first apparatus which comprises: a receptacle for a removable data storage means (figure 1, 4; col. 3, lines 37-54), writing/reading means for reading and/or writing said storage means (figure 1, 3; col. 3, lines 1-24), connecting means for a

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connection to a mail service (figure 1; col. 1, lines 47-62), mail managing means for managing mail dealt with by the removable data storage means (figure 3-4; col. 3, lines 1-24, 37-54), inserting a removable data storage means (col. 3, lines 5-7), connecting to a mail server (figure 1; col. 1, lines 47-62), storing at least part of the contents of the mail in said removable storage means (figure 1, 3; col. 3, lines 1-24), removing said removable storage means for subsequent use with another or with the same apparatus (figure 1).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6434602 to Hazan et al., in view of US patent 6609138 to Merriam.

As to claim 3, Hazan et al. discloses a mail system as claimed in claim 1 comprising saving means for saving the mail in a file in said removable data storage means (figure 1, 3; col. 3, lines 1-24). Hazan et al. does not expressly disclose archiving means for archiving the mail in removable data storage mean. Merriam discloses archiving electronic mails and creates an archive repository (abstract).

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to combine the method disclosed by Hazan et al. with the method disclosed by Merriam regarding archiving electronic mails. The suggestion/motivation of the combination would have

been to provide an automated manager for an electronic mail archive repository and allow individual client effectively sort/retrieve selected email messages located in the archive repository (Merriam, col. 2, lines 29-44).

5. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6434602 to Hazan et al., in view of US publication 2004/0133645 by Massanelli et al.

As to claim 4, Hazan et al. discloses a mail system as claimed in claim 1, wherein said removable data storage means can be floppy disk or any other similar devices (col. 3, lines 4-7). Hazan et al. does not expressly disclose an optical disc. Massanelli et al. disclose an optical disc as the removable storage ([0051], lines 12-13).

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to combine the method disclosed by Hazan et al. with the method disclosed by Massanelli et al. regarding using optical disc as the removable storage. The suggestion/motivation of the combination would have been to provide an alternative media to store email and attachments (Massanelli et al., [0051], lines 12).

6. Claim 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6434602 to Hazan et al., in view of US patent 6314516 to Cagle et al.

As to claim 10, Hazan et al. does not expressly disclose the removable data storage comprise a file for configuring the apparatus for managing the mail. Cagle et al. discloses the removable data storage comprise a configuration file (col. 6, lines 31-33).

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to combine the method disclosed by Hazan et al. with the method disclosed by Cagle et al. regarding removable data storage comprise a configuration file. The suggestion/motivation of

the combination would have been to improve user-friendliness by saving settings manually entered by users into configuration file (Cagle et al., col. 6, lines 60-61).

As to claim 11, Hazan et al. disclose an apparatus suitable for an electronic mail system (abstract) comprising at least: an apparatus having a device to be connected to an electronic mail service (figure 1; col. 1, lines 47-62), said apparatus comprising: a receptacle for receiving a removable data storage means (figure 1, 4; col. 3, lines 37-54), writing/reading means for reading and/or writing said storage means (figure 1, 3; col. 3, lines 1-24), connecting means for a connection to a mail service (figure 1; col. 1, lines 47-62), mail managing means for managing mail (figure 3-4; col. 3, lines 1-24, 37-54), which system further comprises: a removable data storage means and for a removable data storage means as claimed in claim 9 (figure 1, 3-4; col. 3, lines 1-24, 37-54). Hazan et al. does not expressly disclose configuring means for configuring said apparatus for mail managing by launching said configuring file. Cagle et al. discloses configuring means for managing the system by launching configuration file (figure 3; col. 6, lines 24-34).

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to combine the method disclosed by Hazan et al. with the method disclosed by Cagle et al. regarding configuration means for managing the system by launching configuration file. See similar motivation in claim 10 rejection.

7. Claim 13 rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6434602 to Hazan et al., in view of US patent 6928614 to Everhart.

As to claim 13, Hazan et al. does not disclose the mail managing means for managing mail comprises acoustic means for managing the mail. Everhart discloses the email management system responsive to voice commands (abstract).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the method disclosed by Hazan et al. with the method disclosed by Everhart regarding voice commands for managing email system. The suggestion/motivation of the combination would have been to make the system usable in situations when typing is not the best option, as exemplified by Everhart (figure 1-2).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUA FAN whose telephone number is (571)270-5311. The examiner can normally be reached on M-F 7:30am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick Ferris can be reached on (571) 272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. F./  
Examiner, Art Unit 4134

/DERRICK W FERRIS/  
Supervisory Patent Examiner, Art Unit 4134